

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/772,502 Confirmation No.: 1346  
Applicant : GEE-KUNG CHANG ET AL.  
Title : OPTICAL LAYER MULTICASTING USING A SINGLE SUB-  
CARRIER HEADER AND A MULTICAST SWITCH WITH ACTIVE  
HEADER INSERTION  
Filed : 01/30/2001  
TC/A.U. : 2633  
Examiner : NEGASH, K. M.  
Docket No. : APP 1337-US (UC2002-396-1)  
Cust No. : 8156

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**OCT 18 2004**

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22213-1450**

**TERMINAL DISCLAIMER****1. TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, as owner of a 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any one of the following prior U.S. Patents:

6,111,673  
6,160,651

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the foregoing prior patents are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Appl. No.: 09/772,502  
Amdt. Dated: 01/06/2004  
Off. Act. Dated: 10/06/2004

**2. TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, as owner of a 100 percent interest in the instant application, also hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to grant, of any patent granted on any of the following pending U.S. patent applications:

09/772,387 filed on 01/30/2001  
09/772,392 filed on 01/30/2001  
09/772,428 filed on 01/30/2001  
09/772,430 filed on 01/30/2001  
09/772,504 filed on 01/30/2001  
09/772,507 filed on 01/30/2001  
09/772,508 filed on 01/30/2001  
09/774,264 filed on 01/30/2001  
09/774,289 filed on 01/30/2001

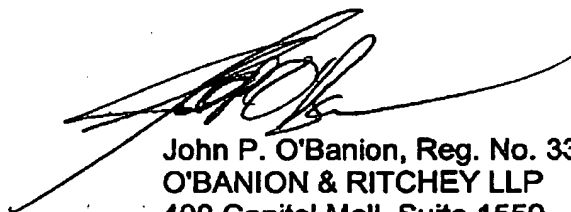
The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and each patent granted on the foregoing pending applications are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of any patent granted on any of the foregoing patent applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

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The undersigned is the attorney of record.

Date: 1/6/2005

Respectfully submitted,



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